

REMARKS

Applicant has amended several sections of the specification to correct grammatical errors.

I. 35 U.S.C. § 103(a)

In the Office Action, the Examiner has rejected Claims 1-7 and 9-16 under 35 U.S.C. § 103(a) as allegedly being anticipated by Hoang et al., U.S. Patent 6,449,052 in view of Cohen et al., U.S. Patent 6,505,171. The Examiner has rejected Claim 8 under 35 U.S.C. § 103(a) as allegedly being anticipated by Hoang et al., U.S. Patent 6,449,052 in view of Cohen et al., U.S. Patent 6,505,171 and further in view of an Official Notice.

Applicant respectfully disagrees with the Examiner's conclusion. Applicant claims a system for secure and private on-line shopping. The system has a brick and mortar store which houses a plurality of computers. The store functions as an on-line shopping store where individuals can order merchandise and have the merchandise delivered to the store for pick-up. The system further uses an on-line store shopping card. The online shopping card is used for purchasing items from the on-line retailers. The online shopping card is a pre-paid card having an assigned monetary value. Individuals using the on-line store shopping card can return the on-line store shopping card for cash on unused credit after shopping at the store.

The Examiner contends that Hoang discloses an on-line shopping store comprising a plurality of computers. Applicant respectfully disagrees. The Examiner quotes col. 2, lines 5-22 and col. 2 line 60 - col. 3, line 50; "According to the present invention, an electronic commerce method and system for referencing remote merchant sites at a local commerce site is provided. The local commerce site may also be a remote merchant integration server (RMIS). The remote commerce site may also be a remote merchant site. The remote merchant site may be a website of a merchant.

From the Examiner's quote, the local commerce site is a remote merchant integration server (RMIS). The local commerce site is not an actually brick and mortar store as is claimed by Applicant but a server. Furthermore, Hoang fails to disclose or anticipate that a person can actually order goods and have these goods sent to the local commerce site for pick up and that the person can actually try out the goods at the store. Again, Hoang only discloses a remote merchant integration server and not a brick and mortar store.

Hoang also fails to disclose that a plurality of computers are located in the store for ordering merchandise. Hoang discloses a "network of computers". However, nowhere is it disclosed or anticipated that a plurality of computers are physically located in a brick and mortar store.

To further differentiate Applicants claimed invention from the cited prior art, Applicant claims the use of an online

shopping card for purchasing items. The online shopping card is a pre-paid card having an assigned monetary value. Individuals using the on-line store shopping card can return the on-line store shopping card for cash on unused credit after shopping at the store. The Examiner acknowledges that Hoang fails to disclose a pre-paid card. However, the Examiner contends that Cohen discloses a pre-paid card. Applicant respectfully disagrees. Neither Hoang nor Cohen disclose the ability to get a pre-paid cash card from the retailer, use the cash card to order merchandise, and then return the cash card for any unused portions. All pre-paid cash cards require the user to use the funds on the cash card. Money is never returned by the company that sells the pre-paid cards.

For the above reasons, Applicant respectfully submit that Claims 1-19 are patentably distinguishable over the cited prior art. Such action is earnestly solicited.

III. Conclusion

Applicant respectfully submit that Applicant's claimed invention is deserving of patent protection because it describes a useful and functioning apparatus which is patentably distinguishable over the prior art.

In conclusion, Applicant respectfully submits that this Amendment Letter, including the amendments to the Claims, and in view of the Remarks offered in conjunction therewith, are fully responsive to all aspects of the objections and rejections tendered by the Examiner in the Office Action. Applicant respectfully submits that he has persuasively demonstrated that the above-

identified Patent Application, including Claims 1-19 are in condition for allowance. Such action is earnestly solicited.

If the foregoing does not place the case in condition for immediate allowance, the Examiner is respectfully requested to contact the undersigned for purposes of a telephone interview.

If there are any fees incurred by this Amendment Letter, please deduct them from our Deposit Account NO. 23-0830.

Respectfully submitted,



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